

DEPARTMENT OF HEALTH

**FAMILY IMPACT STATEMENT**

(To be completed and submitted with the Notice of Intent in accordance with R.S. 49:953  
(A)(1)(a)(viii) and 972)

Proposed Rule: Louisiana Standards for Water Works Construction, Operation and Maintenance [LAC 51:XII.101, 105, 107, 111-123, 125-163, 165-169, 171-191, 201-209, 211-223, 225-231, 233-255, 257-275, 277-279, 319]

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- (1) The effect on the stability of the family.

None

- (2) The effect on the authority and rights of parents regarding the education and supervision of their children.

None

- (3) The effect on the functioning of the family.

None

- (4) The effect on the family earnings and family budget.

The proposed rule adopts new design and construction standards for public water systems effective August 1, 2018. There may be a slight increase in family budget due to increased monthly water bills if served drinking water by a public water system (PWS) that undergoes new construction/renovations after August 1, 2018. The PWS may determine a need to increase their revenue collections (*i.e.*, increase water bills) to cover the increased constructions costs for certain projects that have more stringent requirements in the proposed rule. The increased costs associated with such new construction/renovations is inestimable as it would vary and be dependent upon the size and scope of the actual project being proposed. Therefore, the effect of the rule on family budget is unknown.

- (5) The effect on the behavior and personal responsibility of children.

None

- (6) The ability of the family or local government to perform the function as contained in the proposed rule.

None for family.

The proposed rule adopts new design and construction standards for public water systems effective August 1, 2018. Local governmental units which own/operate a PWS that undergoes new construction/renovations after the August 1, 2018 may determine a need to increase their revenue collections (*i.e.*, increase water bills) to cover the increased design and construction costs for certain projects that have stricter rule requirements. The increased costs associated with such new construction/renovations is inestimable as it would vary and be dependent upon the size and scope of the actual project being proposed.

## DEPARTMENT OF HEALTH

### POVERTY IMPACT STATEMENT

(To be completed and submitted with the Notice of Intent in accordance with R.S. 49:953 (A)(1)(a)(viii) and 972)

Proposed Rule: Louisiana Standards for Water Works Construction, Operation and Maintenance [LAC 51:XII.101, 105, 107, 111-123, 125-163, 165-169, 171-191, 201-209, 211-223, 225-231, 233-255, 257-275, 277-279, 319]

Completed by: Caryn Benjamin

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Publish in the November 20, 2017 issue of the Louisiana Register.

- (1) The effect on household income, assets, and financial security.

The proposed rule adopts new design and construction standards for public water systems effective August 1, 2018. The proposed rule may increase the monthly water bill for households if served drinking water by a public water system (PWS) that undergoes new construction/renovations after August 1, 2018. The PWS may determine a need to increase their revenue collections (*i.e.*, increase water bills) to cover the increased construction costs for certain projects that have more stringent requirements in the proposed rule. The increased costs associated with such new construction/renovations is inestimable as it would vary and be dependent upon the size and scope of the actual project being proposed. Therefore, the effect of the rule on households is unknown.

- (2) The effect on early childhood development and preschool through postsecondary education development.

There will be no effect on childhood development and preschool through postsecondary education development.

- (3) The effect on employment and workforce development.

The proposed rule will likely cause an increase in competition to hire Louisiana Licensed Professional Engineers to design drinking water infrastructure projects that comply with the new design regulations. The rule will require them to become knowledgeable of the new design regulations in order to receive a permit for constructing drinking water infrastructure projects. The rule requires plans and specifications submitted for a permit on/after August 1, 2018 (effective date of rule) to comply with the new design regulations. Construction of drinking water infrastructure projects submitted on/after August 1, 2018 could be delayed if the project does not comply with the new regulations. Delayed projects could adversely affect employment. Therefore, the effective date of the rule is proposed to be delayed several months from the anticipated date of the final rule publication to provide stakeholders time to become aware of and study the changes in the design standards.

- (4) The effect on taxes and tax credits.

There will be no effect on taxes and tax credits

- (5) The effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

There will be no effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.



## PROVIDER IMPACT STATEMENT

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Rule Title: Louisiana Standards for Water Works Construction, Operation and Maintenance Rule for publication in the <u>November 20, 2017</u> , issue of the <u>Louisiana Register</u> .	

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session. Per HCR 170, "provider" means an organization that provides services for individuals with developmental disabilities. In particular, there should be no known or foreseeable effect on the:

1. Effect on the staffing level requirements or qualifications required to provide the same level of service;
2. Total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. Overall effect on the ability of the provider to provide the same level of service.



## SMALL BUSINESS ECONOMIC IMPACT STATEMENT AND REGULATORY FLEXIBILITY ANALYSIS FOR ADMINISTRATIVE RULES

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Rule Title: ***Louisiana Standards for Water Works Construction, Operation and Maintenance***  
[LAC 51:XII.101, 105, 107, 111-123, 125-163, 165-169, 171-191, 201-209, 211-223, 225-231, 233-255,  
257-275, 277-279, 319]

In accordance with the Regulatory Flexibility Act (R.S. 49:965.2-965.8), this Small Business Regulatory Flexibility Analysis and Small Business Economic Impact Statement is being submitted for the rules and regulations proposed for adoption, amendment, or repeal (proposed rule). The summary statement, which is based on the attached worksheet, will be published in the Louisiana Register with the proposed rules and regulations.

### SUMMARY STATEMENT

(to be published in the Louisiana Register)

The purpose of the proposed rule is to adopt certain standards for public water systems (PWSs) developed and approved by the *Louisiana Standards for Water Works Construction, Operation, and Maintenance Committee* (a.k.a., “water committee”) and the Louisiana Department of Health in accordance with Act 292 and Act 488 of the Regular Legislative Sessions, 2013 and 2014, respectively. The proposed standards will assist LDH-OPH in ensuring the continued protection of public health from contaminated drinking water through enforceable standards that address the proper design, operation and maintenance of PWSs. Currently, the *Recommended Standards for Water Works*, 2003 Edition (a.k.a., “Ten State Standards”) is primarily used for the design basis of water supply infrastructure projects as adopted in Section 105.D of Part XII (Water Supplies) of the State Sanitary Code (LAC 51). The proposed standards will replace Ten State Standards and be applicable to the design and construction of drinking water supply infrastructure projects proposed for a permit effective August 1, 2018.

The impact of the proposed rule on small businesses as required by the Regulatory Flexibility Act has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in drafting the proposed rule that will accomplish the objectives of applicable statutes while minimizing the adverse impacts of the proposed rule on small businesses.

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Parham Jaber, MD, MPH  
Assistant Secretary  
LDH/Office of Public Health

Date



Attachments (Worksheets)

## **I. REGULATORY FLEXIBILITY ANALYSIS**

A regulatory flexibility analysis has been performed but based on the results of the analysis it is estimated that the proposed rule is not expected to have a significant adverse impact on small businesses.

## **II. SMALL BUSINESS ECONOMIC IMPACT STATEMENT**

For purposes of assessing the impacts of the proposed rule, public water systems (PWSs) serving 10,000 or fewer people were considered to be a small business. It is estimated that the proposed rule is not expected to have a significant adverse impact on small PWSs. However, small PWSs that undergo new construction may find that this rule will cause a slight increase in the cost of construction of certain projects. For example, a small PWS that proposes to install chlorine dioxide treatment after August 1, 2018 would have to install a chlorine dioxide generator that is certified to meet NSF Standard 61 – Drinking Water System Component – Health Effects.

The increased cost associated with such new construction/renovation is inestimable as it would vary and be dependent upon the size and scope of the actual project being proposed. Although it is expected that there will be a slight cost increase for construction of certain drinking water infrastructure projects, the economic impact on small public water systems is expected to be insignificant.

## **III. NOTICE TO DEPARTMENT OF ECONOMIC DEVELOPMENT**

A Notice of Intent to adopt the proposed rule has not been provided to the Department of Economic Development because it is estimated that the proposed rule is not expected to have a significant adverse impact on small businesses.